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 through Attorney General Xavier Becerra*

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

**STATE OF CALIFORNIA by and through
 Attorney General Xavier Becerra;
 COUNTY OF LOS ANGELES; CITY OF
 LOS ANGELES; CITY OF FREMONT;
 CITY OF LONG BEACH; CITY OF
 OAKLAND; CITY OF STOCKTON,**

Plaintiffs,

v.

**WILBUR L. ROSS, JR., in his official
 capacity as Secretary of the U.S.
 Department of Commerce; U.S.
 DEPARTMENT OF COMMERCE; RON
 JARMIN, in his official capacity as Acting
 Director of the U.S. Census Bureau; U.S.
 CENSUS BUREAU; DOES 1-100,**

Defendants.

3:18-cv-01865

**PLAINTIFFS' RESPONSE TO
 DEFENDANTS' OBJECTIONS TO
 REQUEST FOR JUDICIAL NOTICE**

Trial Date: January 7, 2018
 Dept: 3
 Judge: The Honorable Richard G.
 Seeborg
 Action Filed: March 26, 2018

1 In addition to the requested oral argument, Plaintiff State of California submits the
2 following written response to Defendants' Objections to Plaintiffs' Request for Judicial Notice.

3 Defendants primarily argue that Plaintiffs have not established the relevance of the
4 judicially-noticeable facts and documents. However, Plaintiffs have already demonstrated these
5 materials' relevance in their Opposition to Defendants' Motion for Summary Judgment. ECF 91
6 at 12. Plaintiffs sought judicial notice of nearly all of the same documents in support of that
7 Opposition.¹ See ECF 91-2. As explained in the Opposition, these documents demonstrate that
8 California has and will continue to be injured because it has appropriated and is spending
9 additional funds on community outreach directly due to the citizenship question on the 2020
10 Census. See ECF 91 at 12.

11 Plaintiffs also specifically note that the contents of PTX-507 (RJN No. 9) and PTX-508
12 (RJN No. 10) are admissible as public records.

13 PTX-507 is the California Complete Count Committee's legally-mandated October 1, 2018,
14 report to the Joint Legislative Budget Committee. See 2017 Cal. Sen. Bill No. 866 (2017-2018
15 Reg. Sess.) § 45 (a) ("The Complete Count Census will provide the Joint Legislative Budget
16 Committee...with a progress report on the Census infrastructure by October 1, 2018."); see also
17 PTX-507 at 2; Fed. R. Evid. 803(8)(A)(i).

18 PTX-508 is the California Complete Count Committee's legally-mandated October 2, 2018,
19 report to the Governor. See PTX-503 (RJN No. 5, State of California Office of Governor
20 Edmund G. Brown, Jr., Executive Order B-49-18 (April 13, 2018) at 2 ("The Committee shall
21 submit an initial report to me by October 1, 2018, containing its recommended outreach strategy
22 to encourage full participation and avoid and undercount in the 2020 Census)); see also PTX-508
23 at 2; Fed. R. Evid. 803(8)(A)(i).

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28 ¹ The Court did not issue a ruling on Plaintiffs' Request for Judicial Notice in support of
their Opposition to Defendants' Motion for Summary Judgment.

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3 Dated: January 12, 2019

Respectfully Submitted,

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